

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	86469327
LAW OFFICE ASSIGNED	LAW OFFICE 105
MARK SECTION	
MARK	http://tmng-al.uspto.gov/resting2/api/img/86469327/large
LITERAL ELEMENT	NEVROCARE
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font style, size or color.
GOODS AND/OR SERVICES SECTION (class deleted)	
GOODS AND/OR SERVICES SECTION (class added) Original Class (036)	
INTERNATIONAL CLASS	035
DESCRIPTION	
Medical records claims coding assistance services for others in the nature of assignment of diagnostic and procedural codes for purposes of reimbursement from private insurance and government healthcare payers; administration of a physician's assistance program to facilitate patient access to medical devices by providing physicians and other healthcare providers with insurance referral and reimbursement assistance and support services, namely, referrals, prior authorizations, prior authorization appeals, claim appeals, billing, coding, and coverage identification and guidance, patient insurance benefit investigations, and updating and reporting of insurance benefits to patients	
FILING BASIS	Section 1(b)
ADDITIONAL STATEMENTS SECTION	
TRANSLATION	The English translation of NEVRO in the mark is nerve.
MISCELLANEOUS STATEMENT	The Examining Attorney has indicated that the wording "NEVRO" requires translation. The NEVRO component of Applicant's mark is Greek for "nerve."
SIGNATURE SECTION	
RESPONSE SIGNATURE	/Tracy Durkin/
SIGNATORY'S NAME	Tracy-Gene G. Durkin
SIGNATORY'S POSITION	Attorney of Record, Washington, DC bar member
SIGNATORY'S PHONE NUMBER	(202) 371-2600
DATE SIGNED	04/14/2016
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Thu Apr 14 11:34:58 EDT 2016

TEAS STAMP

USPTO/RFR-XX.XXX.XX.XXX-2
0160414113458495323-86469
327-550e48ac7bc21dba4ddca
57f499966a43e7447ada338c8
99976c7be9fea12ffb7-N/A-N
/A-20160413123618223073

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number.
PTO Form 1960 (Rev 10/2011)
OMB No. 0651-0050 (Exp 07/31/2017)

Request for Reconsideration after Final Action

To the Commissioner for Trademarks:

Application serial no. **86469327** NEVROCARE(Standard Characters, see <http://tmng-al.uspto.gov/resting2/api/img/86469327/large>) has been amended as follows:

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Applicant hereby deletes the following class of goods/services from the application.

Class 036 for Administration of patient access, assistance, and benefits programs insurance plans; Administration of physician assistance programs insurance plans; Healthcare insurance coverage analysis, namely, data analytics and reporting services for insurance billing for medical devices; sales support systems for medical devices

Applicant hereby adds the following class of goods/services to the application:

New: Class 035 (Original Class: 036) for Medical records claims coding assistance services for others in the nature of assignment of diagnostic and procedural codes for purposes of reimbursement from private insurance and government healthcare payers; administration of a physician's assistance program to facilitate patient access to medical devices by providing physicians and other healthcare providers with insurance referral and reimbursement assistance and support services, namely, referrals, prior authorizations, prior authorization appeals, claim appeals, billing, coding, and coverage identification and guidance, patient insurance benefit investigations, and updating and reporting of insurance benefits to patients

Filing Basis: Section 1(b), Intent to Use: For a trademark or service mark application: As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. **For a collective trademark, collective service mark, or collective membership mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. **For a certification mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

ADDITIONAL STATEMENTS

Translation

The English translation of NEVRO in the mark is nerve.

Miscellaneous Statement

The Examining Attorney has indicated that the wording "NEVRO" requires translation. The NEVRO component of Applicant's mark is Greek for "nerve."

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /Tracy Durkin/ Date: 04/14/2016

Signatory's Name: Tracy-Gene G. Durkin

Signatory's Position: Attorney of Record, Washington, DC bar member

Signatory's Phone Number: (202) 371-2600

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the owner's/holder's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the owner/holder in this matter: (1) the owner/holder has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the owner/holder has filed a power of attorney appointing him/her in this matter; or (4) the owner's/holder's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

The applicant is filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 86469327

Internet Transmission Date: Thu Apr 14 11:34:58 EDT 2016

TEAS Stamp: USPTO/RFR-XX.XXX.XX.XXX-2016041411345849

5323-86469327-550e48ac7bc21dba4ddca57f49

9966a43e7447ada338c899976c7be9fea12ffb7-

N/A-N/A-20160413123618223073